

**TUESDAY, JUNE 13, 2000**

**NINETIETH LEGISLATIVE DAY**

The House met at 1:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Walley.

Representative Walley led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Fitzhugh; personal reasons.

Representative McDonald; personal reasons.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 859:** Rep(s). Brooks as prime sponsor(s).

**House Joint Resolution No. 860:** Rep(s). Maddox and Pinion as prime sponsor(s).

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**House Bill No. 715:** Rep(s). Pleasant, Boyer, Jackson, Tidwell and Buttry as prime sponsor(s).

**House Bill No. 717:** Rep(s). Buttry, Boyer, Jackson, Tidwell and Pinion as prime sponsor(s).

**House Bill No. 718:** Rep(s). Jackson, Tidwell, Pinion and Boyer as prime sponsor(s).

**House Bill No. 2048:** Rep(s). Kent, Pinion, Cole (Carter), Pleasant, Buttry, and Davis (Washington) as prime sponsor(s).

**House Bill No. 2591:** Rep(s). Todd and U. Jones as prime sponsor(s).

**MESSAGE FROM THE SENATE  
June 13, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1882, 2040, 2289, 2794, 3095; also, Senate Joint Resolution(s) No(s). 892, 893, 894, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910 and 911 for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**SIGNED  
June 13, 2000**

The Speaker signed the following: Senate Bill(s) No(s). 1882, 2040, 2289, 2794, 3095; also, Senate Joint Resolution(s) No(s). 892, 893, 894, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910 and 911.

**MESSAGE FROM THE SENATE  
June 13, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 955 and 958; adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Joint Resolution No. 955** -- Memorials, Death - David Kipp. by \*Haynes.

**Senate Joint Resolution No. 958** -- Memorials, Personal Occasion - Louis Frederick Vossell, Sr., 80th Birthday. by \*Burks.

### INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**\*House Joint Resolution No. 857** -- Constitutional Amendments - Proposes an amendment to Article II, Section 28, to specifically prohibit all personal income taxes other than the Hall income tax. by \*Sharp, \*McKee.

House Finance, Ways and Means Committee

### RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for June 14, 2000:

**House Resolution No. 286** -- Memorials, Recognition - Erin Lucas. by \*Williams (Williamson).

### SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for June 14, 2000:

**Senate Joint Resolution No. 955** -- Memorials, Death - David Kipp. by \*Haynes.

**Senate Joint Resolution No. 958** -- Memorials, Personal Occasion - Louis Frederick Vossell, Sr., 80th Birthday. by \*Burks.

### HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**\*House Bill No. 3366** -- Appropriations -- House Finance, Ways and Means Committee

### CONSENT CALENDAR

**House Resolution No. 284** -- Memorials, Recognition - Murden Family. by \*Brooks.

**House Resolution No. 285** -- Memorials, Retirement - Joseph Vernon Lay. by \*White, \*Tidwell.

**House Joint Resolution No. 850** -- Memorials, Death - Mertie W. Buckman. by \*Chumney.

**House Joint Resolution No. 851** -- Memorials, Personal Occasion - Meyer Blaine Maddox, birth. by \*Chumney.

**House Joint Resolution No. 853** -- Memorials, Public Service - Erle S. Gooding, Manager, Booker T. Washington State Park. by \*Brown.

**House Joint Resolution No. 858** -- Memorials, Public Service - Richard Floyd. by \*McAfee, \*Stulce, \*Turner (Hamilton), \*Wood, \*Sharp, \*Newton, \*Curtiss.

**Senate Joint Resolution No. 953** -- Memorials, Personal Occasion - Lena Plunkett Kestner, 101st birthday. by \*Burks.

Rep. Chumney moved that all members voting aye on House Joint Resolution No. 851 be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	93
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

## REGULAR CALENDAR

**Senate Joint Resolution No. 939** -- Memorials, Sports - Popeye Jones, Murray State University Basketball Player of the Century. by \*Herron.

Further consideration of Senate Joint Resolution No. 939 previously considered on June 12, 2000, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

Rep. Maddox requested that Senate Joint Resolution No. 939 be moved to the heel of the Calendar.



**House Bill No. 715** -- Firearms and Ammunition - Clarifies that prohibition relative to carrying weapons on public parks and playgrounds does not apply to firearms carried pursuant to concealed carry permit. Amends TCA Section 39-17-1311. by \*West, \*Sharp, \*Beavers, \*Hargett, \*Bittle, \*Todd. (\*SB375 by \*Williams)

Further consideration of House Bill No. 715 previously considered on May 11, 2000, May 18, 2000 and June 12, 2000, at which time it was reset for today's Calendar.

Rep. West moved that House Bill No. 715 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 715 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1311, is amended by deleting the word "and" from the end of subsection (b)(6), by deleting subsection (b)(7)(D) in its entirety, by relettering existing subsection (b)(7)(E) accordingly, by deleting the word "or" from the end of subdivision (b)(7)(E), by adding the word "or" to the end of subsection (b)(8) and by adding the following new subsection (b)(9):

(9) A person with a permit issued pursuant to § 39-17-1351 who has a weapon in a motor vehicle if:

(A) The weapon is not removed or allowed to be removed from the vehicle while it is on such property;

(B) The weapon is not utilized or displayed or allowed to be utilized or displayed in any manner by a person in the vehicle; and

(C) If the permit holder is not in the vehicle, the vehicle is locked and the weapon is stored in a location within the vehicle where it is not readily visible from outside the vehicle.

SECTION 2. This act shall take effect July 1, 2000, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Todd moved the previous question, which motion failed by the following vote:

Ayes.....	54
Noes .....	34
Present and not voting .....	1

Representatives voting aye were: Baird, Beavers, Bittle, Black, Bone, Boyer, Buck, Bunch, Buttry, Cole (Carter), Curtiss, Davidson, Davis (Cocke), Davis (Washington), Ferguson, Ford, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jackson, Kent, Kerr, Kisber, McCord, McDaniel, McKee, McMillan, Montgomery, Mumpower, Newton, Patton, Phillips, Pinion, Pleasant, Rhinehart, Sargent, Scroggs, Sharp, Stulce, Todd, Walley, West, Westmoreland, Whitson, Windle, Wood -- 54.

Representatives voting no were: Armstrong, Arriola, Briley, Brooks, Brown, Caldwell, Chumney, Cole (Dyer), Cooper, DeBerry J., DeBerry L., Dunn, Fowlkes, Givens, Hood, Jones S., Jones U., Langster, Lewis, Maddox, Miller, Odom, Phelan, Pruitt, Rinks, Roach, Robinson, Sands, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), White, Winningham -- 34.

Representatives present and not voting were: Kernell -- 1.

After further debate, Rep. Jackson moved the previous question, which motion prevailed by the following vote:

Ayes .....	71
Noes .....	13
Present and not voting .....	2

Representatives voting aye were: Armstrong, Baird, Beavers, Bittle, Black, Bone, Boyer, Buck, Bunch, Buttry, Chumney, Cole (Carter), Cole (Dyer), Cooper, Davidson, Davis (Cocke), Davis (Washington), Dunn, Eckles, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Hood, Jackson, Jones U., Kent, Kerr, Kisber, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Ridgeway, Roach, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Walley, West, Westmoreland, White, Whitson, Windle, Wood -- 71.

Representatives voting no were: Arriola, Briley, Brooks, Brown, Caldwell, Curtiss, Ferguson, Lewis, Rhinehart, Robinson, Turner (Hamilton), Turner (Shelby), Winningham -- 13.

Representatives present and not voting were: Kernell, Sands -- 2.

Rep. West moved that **House Bill No. 715**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	83
Noes .....	9
Present and not voting .....	1

Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Buck, Bunch, Buttry, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 83.

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Representatives voting no were: Armstrong, Brooks, Brown, Caldwell, DeBerry L., Miller, Rhinehart, Towns, Turner (Hamilton) -- 9.

Representatives present and not voting were: Cooper -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 717** -- Firearms and Ammunition - Specifies notice to be given prohibiting weapons from being carried on certain premises. Amends TCA Section 39-17-1359. by \*West, \*Sharp, \*Beavers, \*Pleasant, \*Hargett, \*Todd, \*Bittle. (SB908 by \*Rochelle, \*Williams)

Further consideration of House Bill No. 717 previously considered on May 11, 2000, May 18, 2000 and June 12, 2000, at which time it was reset for today's Calendar.

On motion, House Bill No. 717 was made to conform with **Senate Bill No. 908**; the Senate Bill was substituted for the House Bill.

Rep. West moved that Senate Bill No. 908 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Todd moved the previous question, which motion prevailed.

Rep. West moved that **Senate Bill No. 908** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 87  
Noes ..... 5

Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 87.

Representatives voting no were: Armstrong, Brooks, DeBerry L., Miller, Towns -- 5.

A motion to reconsider was tabled.

**\*House Bill No. 718** -- Firearms and Ammunition - Exempts certain persons from prohibitions on carrying firearm on school property or where alcoholic beverages sold; clarifies that person carrying weapon pursuant to concealed carry permit not subject to provisions prohibiting carrying weapons for purpose of going armed. Amends TCA Title 39, Chapter 17, Part 13. by \*West, \*Sharp, \*Beavers, \*Pleasant, \*Hargett, \*Todd, \*Bittle, \*Buttry. (SB1645 by \*Cooper)

Further consideration of House Bill No. 718 previously considered on May 11, 2000, May 18, 2000 and June 12, 2000, at which time it was reset for today's Calendar.

**BILL RE-REFERRED**

Rep. West moved that House Bill No. 718 be re-referred to the House Committee on Calendar and Rules, which motion prevailed.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 1264** -- Education - Requires school superintendents convicted of felonies to be removed from office. Amends TCA Section 49-2-301. by \*Winningham, \*Boyer. (\*SB1267 by \*Springer, P)

Further consideration of House Bill No. 1264 previously considered on May 26, 1999, February 2, 2000, March 8, 2000, March 9, 2000, April 10, 2000, May 8, 2000, May 22, 2000 and June 12, 2000, at which time it was reset for today's Calendar.

**House Bill No. 1242** -- Education - Authorizes local boards of education to maintain records of proceedings of board in electronic format. Amends TCA Section 49-2-301. by \*Winningham, \*Boyer. (\*SB1322 by \*Williams)

Further consideration of House Bill No. 1242 previously considered on May 26, 1999, February 2, 2000, March 8, 2000, March 9, 2000, April 10, 2000, May 8, 2000, May 22, 2000 and June 12, 2000, at which time it was reset for today's Calendar.

Rep. Winningham requested that House Bill(s) No(s). 1264 and 1242 be moved to the heel of the Calendar.

**\*House Bill No. 3266** -- Motor Vehicles, Titling and Registration - Reclassifies Nashville Predators cultural license plate as new specialty earmarked plate Amends TCA Title 55, Chapter 4. by \*West. (SB3259 by \*Haynes)

Further consideration of House Bill No. 3266 previously considered on June 6, 2000 and June 12, 2000, at which time it was reset for today's Calendar.

On motion, House Bill No. 3266 was made to conform with **Senate Bill No. 3259**; the Senate Bill was substituted for the House Bill.

Rep. West moved that Senate Bill No. 3259 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 3259 by deleting subsection (c) from Section 1 of the introduced bill in its entirety and by substituting instead the following language:

(c) Notwithstanding any provision of this part to the contrary, all funds produced from the sale of such Nashville Predators new specialty earmarked license plates, after deducting the expense the department has incurred in designing, manufacturing and marketing such plates, shall be deposited in the general fund.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. West moved that **Senate Bill No. 3259**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 93  
Noes ..... 2

Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives voting no were: Armstrong, Turner (Hamilton) -- 2.

A motion to reconsider was tabled.

**\*House Bill No. 2048** -- Motor Vehicles, Titling and Registration - Authorizes issuance of new specialty earmarked license plates for National Rifle Association Amends TCA Title 55, Chapter 4. by \*West, \*Sharp, \*Beavers, \*Bittle, \*Goins, \*Baird, \*Black. (SB2491 by \*Haynes, \*Kurita)

Further consideration of House Bill No. 2048 previously considered on June 6, 2000 and June 12, 2000, at which time it was reset for today's Calendar.

On motion, House Bill No. 2048 was made to conform with **Senate Bill No. 2491**; the Senate Bill was substituted for the House Bill.

Rep. West moved that Senate Bill No. 2491 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 2491 by deleting subsection (d) from Section 2 of the introduced bill in its entirety and by substituting instead the following language:

(d) Notwithstanding any provision of this part to the contrary, all funds produced from the sale of such National Rifle Association new specialty earmarked license plates, after deducting the expense the department has incurred in designing, manufacturing and marketing such plates, shall be deposited in the general fund.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. West moved that **Senate Bill No. 2491**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 88  
Noes ..... 6

Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 88.

Representatives voting no were: Armstrong, Brooks, Brown, Miller, Pruitt, Turner (Hamilton) -- 6.

A motion to reconsider was tabled.

**\*House Joint Resolution No. 854** -- Constitutional Amendments - Prohibits general assembly from taxing first \$100,000 of income per annum of individual or first \$200,000 per annum of married couple; authorizes other income per annum above such amounts to be tax in manner provided by law; requires 3/5 vote to raise rate, increase or decrease amount or approve exemptions, deductions or credits on such other income. by \*Buck, \*Ridgeway, \*Newton, \*Fraleley.

Further consideration of House Joint Resolution No. 854 previously considered on June 12, 2000, at which time it was read for the first constitutional reading and reset for today's Calendar.

Rep. Buck requested that the Clerk read House Joint Resolution No. 854 for the second constitutional reading.

The Clerk read House Joint Resolution No. 854.

Rep. Buck moved that House Joint Resolution No. 854 be reset for the Regular Calendar on June 14, 2000, which motion prevailed.

**\*House Joint Resolution No. 855** -- Constitutional Amendments - Prohibits general assembly from taxing first \$100,000 of income per annum of individual or first \$200,000 per annum of married couple; authorizes other income per annum above such amounts to be tax in manner provided by law; requires 3/5 vote to raise rate, or approve exemptions, deductions or credits on such other income. by \*Buck, \*Newton, \*Ridgeway, \*Fraleley.

Further consideration of House Joint Resolution No. 855 previously considered on June 12, 2000, at which time it was read for the first constitutional reading and reset for today's Calendar.

Rep. Buck requested that the Clerk read House Joint Resolution No. 855 for the second constitutional reading.

The Clerk read House Joint Resolution No. 855.

Rep. Buck moved that House Joint Resolution No. 855 be reset for the Regular Calendar on June 14, 2000, which motion prevailed.

**\*House Joint Resolution No. 856** -- Constitutional Amendments - Prohibits General Assembly from taxing first \$100,000 of individual's income and first \$200,000 of married couple's income. by \*Buck, \*Ridgeway, \*Newton, \*McKee.

Further consideration of House Joint Resolution No. 856 previously considered on June 12, 2000, at which time it was read for the first constitutional reading and reset for today's Calendar.

Rep. Buck requested that the Clerk read House Joint Resolution No. 856 for the second constitutional reading.

The Clerk read House Joint Resolution No. 856.

Rep. Buck moved that House Joint Resolution No. 856 be reset for the Regular Calendar on June 14, 2000, which motion prevailed.

**\*House Joint Resolution No. 859** -- Constitutional Amendments - Prohibits general assembly from taxing first \$100,000 of income per annum of individual or first \$200,000 per annum of married couple unless general assembly within same annual session also reduces state sales tax in amount at least sufficient to offset amount of revenue generated by levy of such tax. by \*Brown, \*Head.

Further consideration of House Joint Resolution No. 859 previously considered on June 12, 2000, at which time it was read for the first constitutional reading and reset for today's Calendar.

Rep. Head requested that the Clerk read House Joint Resolution No. 859 for the second constitutional reading.

The Clerk read House Joint Resolution No. 859.

Rep. Head moved that House Joint Resolution No. 859 be reset for the Regular Calendar on June 14, 2000, which motion prevailed.

**House Bill No. 2802** -- Pensions and Retirement Benefits - Provides that local teacher retirement funds should be well managed; requires annual reports to local legislative bodies. Amends TCA Title 7. by \*Jones, S., \*Odom, \*Pruitt, \*Arriola, \*Robinson, \*Garrett, \*Langster, \*Briley, \*West, \*Harwell. (\*SB2755 by \*Rochelle, \*Henry)

On motion, House Bill No. 2802 was made to conform with **Senate Bill No. 2755**; the Senate Bill was substituted for the House Bill.

Rep. S. Jones moved that Senate Bill No. 2755 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 2755 by deleting the language "majority vote" wherever it appears in subdivision (b)(1) of the amendatory language of SECTION 1 of the bill as amended and substituting instead the following language "two-thirds (2/3) vote"

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. S. Jones moved that **Senate Bill No. 2755**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 95  
Noes ..... 0



Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**House Bill No. 2820** -- Taxes - Provides that issuance of notice of tangible personal property audit tolls deadline for making back assessments. Amends TCA Title 67, Chapter 1, Part 10. by \*Kisber. (\*SB2745 by \*Rochelle)

On motion, House Bill No. 2820 was made to conform with **Senate Bill No. 2745**; the Senate Bill was substituted for the House Bill.

Rep. Kisber moved that **Senate Bill No. 2745** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 95  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**Senate Joint Resolution No. 939** -- Memorials, Sports - Popeye Jones, Murray State University Basketball Player of the Century. by \*Herron.

Further consideration of Senate Joint Resolution No. 939 previously considered on today's Calendar.

**BILL RE-REFERRED**

Rep. Maddox moved that Senate Joint Resolution No. 939 be re-referred to the House Committee on Calendar and Rules, which motion prevailed.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 1264** -- Education - Requires school superintendents convicted of felonies to be removed from office. Amends TCA Section 49-2-301. by \*Winningham, \*Boyer. (\*SB1267 by \*Springer, P)

Further consideration of House Bill No. 1264 previously considered on today's Calendar.

**BILL RE-REFERRED**

Rep. Winningham moved that House Bill No. 1264 be re-referred to the House Committee on Calendar and Rules, which motion prevailed.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 1242** -- Education - Authorizes local boards of education to maintain records of proceedings of board in electronic format. Amends TCA Section 49-2-301. by \*Winningham, \*Boyer. (\*SB1322 by \*Williams)

Further consideration of House Bill No. 1242 previously considered on today's Calendar.

On motion, House Bill No. 1242 was made to conform with **Senate Bill No. 1322**; the Senate Bill was substituted for the House Bill.

Rep. Winningham moved that Senate Bill No. 1322 be passed on third and final consideration.

Rep. Goins moved adoption of Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 1322 By adding a new section to be appropriately designated, immediately before the effective date section:

Section \_\_\_\_ Tennessee Code Annotated, Section 49-2-301(h)(1), is amended in the first sentence by deleting the language "for an additional term of office or for a period of four (4) years, whichever is less.", and by substituting instead the language "for a term of four (4) years."

Tennessee Code Annotated, Section 49-2-301(h)(1), is further amended by deleting the last section in its entirety.

Tennessee Code Annotated, Section 49-2-301(h), is further amended by deleting subdivisions (2), (3), and (4) in their entirety.

Rep. Davidson moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes .....	50
Noes .....	37
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Bone, Briley, Brooks, Brown, Caldwell, Chumney, Cole (Dyer), Cooper, Davidson, Davis (Cocke), DeBerry J., Eckles, Garrett, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Maddox, McCord, McMillan, Miller, Montgomery, Odom, Patton, Pinion, Pleasant, Pruitt, Robinson, Sargent, Scroggs, Stulce, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, Williams, Mr. Speaker Naifeh -- 50.

Representatives voting no were: Baird, Beavers, Bittle, Black, Boyer, Buck, Buttry, Cole (Carter), Curtiss, Davis (Washington), DeBerry L., Dunn, Ferguson, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Kerr, Lewis, McAfee, McDaniel, Mumpower, Phelan, Phillips, Rhinehart, Roach, Sands, Sharp, White, Windle, Winningham, Wood -- 37.

Representatives present and not voting were: Ford -- 1.

Rep. Winningham moved that **Senate Bill No. 1322** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

#### CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

#### MESSAGE CALENDAR

#### HOUSE ACTION ON SENATE AMENDMENTS

**House Bill No. 2591** -- Children - Creates and funds commission on responsible fatherhood; "membership," "authority" and "principles" defined; annual report required; funded for 2000-2001; terminates 2/1/06. Amends TCA Title 3, Chapter 15. by \*DeBerry J, \*Brown, \*Wood, \*Patton, \*Williams (Williamson), \*Bowers, \*Kernell, \*Towns, \*Bunch, \*Stulce, \*Armstrong, \*Black, \*Goins, \*Miller L, \*Pleasant, \*Turner (Hamilton), \*Jones U (Shelby), \*Kent, \*Cole (Carter), \*Pinion, \*Ridgeway. (\*SB2813 by \*Ramsey, \*Henry)

#### Senate Amendment No. 3

AMEND House Bill No. 2591 Amend the ninth line of Section 2(A) change "doctorate degree and are" to "doctorate degree and one"

Rep. J. DeBerry moved that the House concur in Senate Amendment(s) No(s). 3 to **House Bill No. 2591**, which motion prevailed by the following vote:

Ayes ..... 95  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**HOUSE ACTION ON SENATE MESSAGE**

**House Bill No. 2885** -- Taxes, Privilege - Redirects certain real estate transfer tax revenue to state parks system rather than local parks land acquisition fund and state lands acquisition fund. Amends TCA Section 67-4-409. by \*Rinks, \*Ridgeway, \*Gunnels, \*McMillan, \*Baird. (\*SB3003 by \*Cooper, \*Burchett, \*Burks, \*Davis L, \*Graves, \*Kyle, \*Kurita, \*McNally, \*Williams)

Rep. Rinks moved that the House refuse to recede from its action of nonconcurring in Senate Amendment(s) No(s). 1 as amended to **House Bill No. 2885**, which motion prevailed.

**CONFERENCE COMMITTEE APPOINTED  
ON HOUSE BILL NO. 2885**

Pursuant to **Rule No. 73**, Representative Rinks moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 2885, which motion prevailed.

The Speaker appointed Representatives Rinks, McAfee and Maddox as the House members of the Conference Committee on House Bill No. 2885.

**RULES SUSPENDED**

Rep. Kisber moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 860 out of order, which motion prevailed.

**House Joint Resolution No. 860** -- Memorials, Retirement - Harold Montgomery. by \*Kisber, \*McDaniel, \*Maddox, \*Pinion.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Kisber, the resolution was adopted.

A motion to reconsider was tabled.

**RECESS MOTION**

On motion, the House stood in recess until 4:00 p.m.

**MESSAGE FROM THE SENATE**

**June 13, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2885.

The Senate refused to recede from its action in adopting Amendment(s) No(s). 1 as amended.

The Speaker appointed a Conference Committee composed of Senators Cooper, Ramsey, Miller, Kurita and Graves to confer with a like Committee from the House to resolve the differences of the two bodies on House Bill No. 2885.

RUSSELL HUMPHREY, Acting Chief Clerk.

**ENGROSSED BILLS**

**June 13, 2000**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 715, also, House Joint Resolution(s) No(s). 850, 851, 853 and 858.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS**

**June 13, 2000**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 860.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**June 13, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 850, 851, 853 and 858; all concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 13, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2889.

The Senate nonconcurred in House Amendment(s) No(s). 1.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 13, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2441; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 13, 2000**

MR. SPEAKER: I am directed to notify the House that the Speaker appointed a new Conference Committee composed of Senators Cooper, Crutchfield, Haynes, Ford, Kyle, McNally, Haun, Fowler and Ramsey to confer with a like Committee from the House to resolve the differences of the two bodies on House Bill No. 2790.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 13, 2000**

MR. SPEAKER: I am directed to notify the House that the Speaker appointed a new Conference Committee composed of Senators Cooper, Crutchfield, Haynes, Ford, Kyle, McNally, Haun, Fowler and Ramsey to confer with a like Committee from the House to resolve the differences of the two bodies on House Bill No. 2791.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 13, 2000**

MR. SPEAKER: I am directed to notify the House that the Speaker appointed a new Conference Committee composed of Senators Cooper, Crutchfield, Haynes, Ford, Kyle, McNally, Haun, Fowler and Ramsey to confer with a like Committee from the House to resolve the differences of the two bodies on House Bill No. 3364.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 13, 2000**

MR. SPEAKER: I am directed to request the return of Senate Bill(s) No(s). 2889 for further consideration.

RUSSELL HUMPHREY, Acting Chief Clerk.

**CONSENT CALENDAR**  
**June 13, 2000**

The following local bills have been placed on the Consent Calendar for **June 14, 2000**:  
House Bill(s) No(s). 3361.

**RECESS EXPIRED**

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

**ROLL CALL DISPENSED WITH**

On motion of Rep. Hargrove, the roll call was dispensed with.

**RECESS MOTION**

On motion of Rep. Hargrove, the House stood in recess until 2:00 p.m., Wednesday, June 14, 2000.